

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

McCONNELL DORCE, CECELIA JONES, and
SHERLIVIA THOMAS-MURCHISON,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

CITY OF NEW YORK, LOUISE CARROLL
(Commissioner of the New York City Department
of Housing Preservation and Development),
SHERIF SOLIMAN (Commissioner of the New
York City Department of Finance),
NEIGHBORHOOD RESTORE HOUSING
DEVELOPMENT FUND CORP., and BSDC
KINGS COVENANT HOUSING
DEVELOPMENT FUND COMPANY, INC.,

Defendants,

-and-

585 NOSTRAND AVENUE HOUSING
DEVELOPMENT FUND CORPORATION and 248
MADISON STREET HOUSING DEVELOPMENT
FUND CORPORATION,

Nominal Defendants.

Civil Action No. 1:19-cv-02216-JLR

NOTICE OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law; the respective declarations of Plaintiffs McConnell Dorce, Cecelia Jones, and Sherlivia Thomas-Murchison ("Named Plaintiffs"); the Declaration of Alexander B. Simkin; the Declaration of Gregg L. Weiner; the Declaration of Matthew L. Berman; the Declaration of Keith H. Wofford; all exhibits, attachments, and appendices thereto; and any oral argument presented to the Court,

Named Plaintiffs, by and through their undersigned attorneys, hereby move the Court, before the Honorable Jennifer L. Rochon, United States District Judge, against Defendants City of New York (the “City”), Louise Carroll (former Commissioner of the City’s Department of Housing Preservation and Development), Sherif Soliman (former Commissioner of the City’s Department of Finance), Neighborhood Restore Housing Development Fund Corp., and BSDC Kings Covenant Housing Development Fund Company, Inc. (“Defendants”) pursuant to Rule 23 of the Federal Rules of Civil Procedure for certification of the following proposed classes, appointment of Named Plaintiffs’ undersigned attorneys as counsel to these classes, and such other and further relief as the Court deems just, proper, and equitable:

1. All persons whose properties Defendants transferred during Round 10 of the Third Party Transfer Program (the “TPT Program”) under City Admin. Code §§ 11-401 *et seq.* that had value in excess of the tax liens thereon (“Surplus Equity”).
2. All persons whose properties Defendants transferred during Rounds 1-9 of the TPT Program under City Admin. Code §§ 11-401 *et seq.* that had Surplus Equity.

Dated: October 30, 2024

Respectfully submitted,

/s/ Matthew L. Berman

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